

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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ROBERT LEE ALLEN

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Plaintiff,

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v.

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2:07-CV-90-ID  
(WO)

MR. WILLIE VAUGHNER, *et al.*,

\*

Defendants.

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**ORDER ON MOTION**

Upon consideration of the motion for extension of time filed by Plaintiff on June 11, 2007 and as Plaintiff fails to provide any information in support of the motion, it is

ORDERED that the motion (Doc. No. 36) be and is hereby DENIED.<sup>1</sup>

Plaintiff has filed a request for appointment of counsel. A plaintiff in a civil case has no constitutional right to counsel. While an indigent plaintiff may be appointed counsel pursuant to 28 U.S.C. § 1915(e)(1), a court retains broad discretion in making this decision. *See Killian v. Holt*, 166 F.3d 1156, 1157 (11<sup>th</sup> Cir.1999).

Here, the court finds from its review of the complaint that Plaintiff is able to

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<sup>1</sup>A review of the docket reflects that Plaintiff filed his opposition to Defendants' written report on June 11, 2007 along with several exhibits in accordance with the court's May 7 & 18, 2007 orders. The parties are presently under no order to file any further pleadings, motions, and/or documents with the court.

adequately articulate the facts and grounds for relief in the instant matter without notable difficulty. Furthermore, the court concludes that Plaintiff's complaint is not of undue complexity and that he has not shown that there are exceptional circumstances justifying appointment of counsel. *See Kilgo v. Ricks*, 983 F.2d 189, 193 (11<sup>th</sup> Cir. 1993); *Dean v. Barber*, 951 F.2d 1210, 1216 (11<sup>th</sup> Cir. 1992); *see also Fowler v. Jones*, 899 F.2d 1088, 1096 (11<sup>th</sup> Cir. 1990). Therefore, in the exercise of its discretion, the court shall deny Plaintiff's request for appointment of counsel at this time. The request may be reconsidered if warranted by further developments in this case.

Accordingly, it is

ORDERED that Plaintiff's Motion for Appointment of Counsel (Doc. No. 36), is DENIED.

Done, this 14<sup>th</sup> day of June 2007.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE